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SUBJECT: Referendum on popular rights to dismiss Saeima falls short of required turnout

**¶1.** Summary. According to provisional results, the August 2 referendum on amending the Constitution to give the public the right to initiate the dissolution of the Saeima (Parliament) failed to meet the required voter participation to be considered valid. 43% of all eligible voters participated in the vote, but this fell short of the 50% required for a constitutional amendment. Of those who participated, 97% voted yes to the proposed amendment. Under Latvian law, the referendum is ruled ineffective and no further action is legally required, however, President Zatlers has announced that he will convene an extra-ordinary Saeima session (most likely on August 6) to address the situation. He will likely submit at a later date his own proposed constitutional amendments on the rights of the people to initiate a dismissal of Saeima, which were developed by legal experts on the President's Constitutional Commission. End summary.

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Numbers  
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**¶2.** 628,831 people (roughly 150,000 short of the required 757,607 - or 50% of all eligible voters- needed to be valid) participated in the referendum. 96.75% voted for the proposed constitutional amendments, while 3% voted against. The August 2 referendum had the third highest level of participation in Latvia's history, after the referendum on Latvia's membership in the EU in 2003 and amendments to the Naturalization Law in 1998.

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Effects  
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**¶3.** The significant number of people who supported the constitutional amendments has forced all political forces, even those that previously did not support the amendments, to voice their readiness to amend the Constitution and grant Latvian citizens the right to initiate a dismissal of Saeima (currently only the President can initiate a dismissal). PM Godmanis, leader of the Union of the Greens and Farmers Brigmanis, and People's Party Saeima faction head Kucinskis have said that they are ready to consider/initiate constitutional amendments on the public's right to initiate a dissolution of Saeima. The opposition parties, which lobbied for the amendments, are convinced that the results of the referendum show extreme frustration with the current legislature and are calling on President Zatlers to dismiss the 9th Saeima. For his part, the President announced that he will convene an extraordinary session of Saeima to discuss the results of the referendum. He is also expected to propose his set of constitutional amendments which would grant the public the right to initiate a dismissal of the Saeima (though he has not explicitly called to dismiss the current Saeima), although this may not happen until the fall. The draft amendments to be proposed by the President have been drafted by a widely-respected team of experts on constitutional rights.

**¶4.** Comment. Though the August 2 referendum on the constitutional amendments will be considered legally invalid due to falling short of the required number of voters, the overall turnout was higher than expected. This stronger than expected turnout, and the overwhelming vote in favor by those who did participate, is too

significant to be ignored by Latvia's political forces, and it is quite likely that some form of amendments to the constitution granting the public the right to initiate the dismissal of Saeima may be adopted after all. The fact that the president will likely submit a draft written by eminent legal scholars is also good because the version voted on in the referendum drew some criticism for being poorly worded. Some political experts are containing their optimism, believing that the support for the constitutional amendments voiced by the ruling coalition post-referendum does not mean anything and that they will do everything possible to kill President Zatlers' amendments in the fall session. On a positive note, the referendum process exposed some encouraging developments in Latvian politics, namely that considering all circumstances, the number of people who voted in the referendum was surprisingly high (higher than the total number of the voters who voted for the ruling coalition parties in the last Saeima elections), showing that civil society is an active force. A well-planned move by investigative journalists from the Latvian television program "Nothing Personal" to announce the names of political forces and politicians who had been funded by indicted Ventspils Mayor Aivars Lembergs, to represent his interests in Saeima, just a night before the referendum might have contributed to the higher turnout.

WASER